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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Inder the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. **Application Number** 12/19/2003 Filing Date TRANSMITTAL David S. F. Young First Named Inventor **FORM** Art Unit (to be used for all correspondence after initial filing) **Examiner Name** Attorney Docket Number 2056.027 Total Number of Pages in This Submission (Check all that apply) **ENCLOSURES** After Allowance Communication to a Technology Center (TC) Drawing(s) Appeal Communication to Board Fee Transmittal Form of Appeals and Interferences Licensing-related Papers Appeal Communication to TC Fee Attached (Appeal Notice, Brief, Reply Brief) Petition Amendment/Reply Petition to Convert to a Proprietary Information Provisional Application After Final Power of Attorney, Revocation Status Letter Change of Correspondence Address Other Enclosure(s) (please Affidavits/declaration(s) Identify below): Terminal Disclaimer Extension of Time Request Copies of (13) references Request for Refund Express Abandonment Request CD, Number of CD(s) Information Disclosure Statement Remarks Certified Copy of Priority Document(s) Response to Missing Parts/ Incomplete Application Response to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Ferris H. Lander 1 Firm McHale & Slavin, P.A <u>Individual</u> cevel Signature Date

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICANT

: David S. F. Young et al

INVENTION

: CANCEROUS DISEASE MODIFYING ANTIBODIES

SERIAL NUMBER

: 10/743,451

FILING DATE

: December 19, 2003

**EXAMINER** 

:

GROUP ART UNIT

:

ATTORNEY DOCKET NO.

: 2056.027

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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

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Sir:

Pursuant to the Duty to Disclose under 37 C.F.R. §1.56, the references cited on the accompanying form PTO/SB/08B are hereby brought to the attention of the Examiner for independent evaluation. A copy of each reference cited on the PTO/SB/08B form is enclosed for the Examiner's consideration.

Applicants submit that the present invention is patentable over these references.

Respectfully submitted,

Date 3/2/2004

Forris H I anda

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Examiner nitials*	Cite No.1	NON PATENT LITERATURE DOCUMENTS  Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		T. KARPANEN et al, "Vascular endothelial growth factor C promotes tumor lymphangiogenesis and intralymphatic tumor growth", Cancer Research, 61:1786-1790 (March, 2001)	
		W. WAUD et al, "Characterization of in vivo mammary and prostate tumor xenograft models for growth and response to clinical anticancer agents", Contrib Oncol Basel Karger, 54:305-315 (1999)	
		G. KLEMENT et al, "Differences in therapeutic indexes of combination metronomic chemotherapy and an anti-VEGFR-2 antibody in multidrug-resistant human breast cancer xenografts", Clinical Cancer Research, 8:221-232 (January, 2002)	
		D. BLAKEY et al, "Antitumor activity of the novel vascular targeting agent ZD6126 in a panel of tumor models", Clinical Cancer Research, 8:1974-1983 (June, 2002)	
		Z. XIAO et al, "Generation of a baculovirus recombinant prostate-specific membrane antigen and its use in the development of a novel protein biochip quantitative immunoassay", Protein Expresion and Purification, 19:12-21 (2000)	
		S. Guichard et al, "Schedule-dependent activity of topotecan in OVCAR-3 ovarian carcinoma xenograft: pharmacokinetic and pharmacodynamic evaluation", Clinical Cancer Research, 7:3222-3228 (October, 2001)	
		V. VON GRUENIGEN et al, "Efficacy of intraperitoneal adenovirus-mediated p53 gene therapy in ovarian cancer", Int. J. Gynecol. Cancer, 9:365-372 (1999)	
		N. GUILBAUD et al, "Marked antitumor activity of a new potent acronycine derivative in orthotopic models of human solid tumors", Clinical Cancer Research, 7:2573-2580 (August, 2001)	
<del>-</del>		K. OLSON et al, "Inhibition of prostate carcinoma establishment and metastatic growth in mice by an antiangiogenin monoclonal antibody", Int. J. Cancer, 98:923-929 (2002)	
		S. HIRSCHFELD et al, "Oncology drug development: United States Food and Drug Administration perspective", Critical Reviews in Oncology/Hematology, 42:137-143 (2002)	

		Date	
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		NON PATENT LITERATURE DOCUMENTS	
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		P. THERASSE et al, "New guidelines to evaluate the response to treatment in solid tumors", Journal of the National Cancer Institute, 92(3):205-216 (February, 2000)	
		G. ECKHARDT et al, "Developmental therapeutics: successes and failures of clinical trial designs of targeted compounds", in American Society of Clinical Oncology, pp. 209-219 (2003)	
		P. SMITH et al, "Anti-interleukin-6 monoclonal antibody induces regression of human prostate cancer xenografts in nude mice", The Prostate, 48:47-53 (2001)	
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